

"DIXIE DOOLITTLE" CASE RESULTS IN FULL EXONERATION

After Deliberating and Balloting
For Eight Hours Decision
Is Finally Reached

ATTORNEYS PRESENT
LENGTHY ARGUMENTS

Talents Stood Nine To Three
For Acquittal Until Final
Ballot Was Taken

Richard H. Trent, head of the Trent
Trust company, who has been on trial
in the circuit court before Judge Wil-
liam H. Heen for the past week was
exonerated of the charge of criminal
libel, at eleven-thirty o'clock last
night, by the jury in the case after it
had deliberated eight hours.

This brings to a conclusion the
charges made against Trent and R. O.
Matheson, editor of The Advertiser, in
connection with one of a series of the
so-called "Dixie Doolittle" articles,
which the Elks lodge, complainants in
the case, held was injurious to it as
an order.

Interest Wide Spread

The trial, which has been in progress
for a week, attracted the widest
attention due to the prominence of the
defendant, who is head of the largest
financial institution in the Territory
and federal custodian of property
owned by alien enemies. With R. O.
Matheson, editor of The Advertiser, he
was indicted for libel in connection
with one of the series of so-called
"Dixie Doolittle" articles, which the
Elks lodge, complainants in the case,
held was injurious to it as an order.

Up to three thirty-one o'clock yes-
terday afternoon when the case was
at length given to the jury the day
was devoted to the arguments of op-
posing counsel.

Counsel In Case

The accused financier was represented
in the trial by Attorneys John
Cathcart, E. M. Watson and Will Car-
den. Attorneys E. C. Peters and
George Davis directed the prosecu-
tion of the case through its opening
stages when a demurrer to the charge
was filed and overruled by the court.
When the actual trial started Peters
withdrew from the case, leaving the
burden of the prosecution to be borne
by Attorney Davis alone. Against the
olds he faced Attorney Davis made a
notable fight, directing the case in
all of its ramifications without aid
from the office of the county attorney.

When Attorney George Davis opened
his argument yesterday morning for the
prosecution he sought to impress upon
the jury that the trial could not be
regarded as a life and death affair.
He characterized the charge as a statu-
tory misdemeanor, intimating that in
the event the defendant were found
guilty he could be let off with a small
fine.

In his opening argument the attorney
for the prosecution reviewed details of
the testimony going over what had
been said by the various witnesses.
In a part of his argument Attorney
Davis himself said that the accused
financier had not been over-zealous.

"Trent is not a bad man," he as-
serted. "I am satisfied that he has a
good heart and that he has noble
traits. He was merely over-zealous."

Attacks Defendant

Branching out from this point of view
he attacked the defendant sharply for
"what had been said in the 'Dixie Do-
olittle' article of January 24. He ad-
vised why Trent had not written direct-
ly to the officers of the lodge over his
own signature instead of having pub-
lished the article over a pen name.

He also said the defendant might have
taken up the question of liquor sales
in the Elks club with the minority of
members whose effort to end liquor
sales in the club had been defeated.

All through his argument the attor-
ney for the prosecution dwelt upon the
definitions of terms used in the
article. Chief among these were "John
Barleycorn," "booze joint," and
"joint." The attorney turned his guns
early on the use by the defendant of
a pen name, declaring that an anony-
mous communication was a deadly
weapon.

Watson Replies

Attorney E. M. Watson, represent-
ing the defendant, followed Attorney
Davis and made reply to the things
he charged. He said that the "Dixie
Doolittle" article did not carry the
meaning that the prosecution had
sought to show it held. He held that
the defense had proven the truth of
all the assertions contained in the
article and had shown that it was fully
justified by conditions in the commu-
nity at the time it was written. He
asserted that the prosecution had en-
deavored to read into the meaning of
the article some hidden devilish mean-
ing which it did not contain.

Particular stress was laid by Attor-
ney Watson on his reply to charges
concerning the statement of the attor-
ney, which said the lodge was "turning
out a few drunks every year."

Claims Charges True

Attorney Watson asserted that this
was literally true, holding that any
place where liquor was served neces-
sarily turned out some "drunks every
year." Emphasizing this point he re-
ferred to the historic experiment of Bis-
hop Potter in New York about ten years
ago when the Episcopal churchman had
sought to provide a "workmen's
club" where they could obtain pure
flour at reasonable prices. He pointed
out at the time this experiment
had to be abandoned after a year.

One after another he took up the
charges contained in the article, show-
ing that all that had been said was
true. He referred to the statement
of the article which said "loyal young
men would hesitate long before joining
such an order" and contended this had
been proved by the testimony of J. A.
Ritch of the Mutual Telephone Com-
pany who had said he had refused to
join the Elks when asked because it
upon was sold in the club rooms.

Attorney Davis had objected to testi-
mony along this line from Gen. J. H.
Soper, holding that General Soper with
his seventy-and years could not be re-
garded as a loyal "young man." At-
torney Watson held that Balch could
properly be held to be a "young man."

Lodge Is Loyal

Attorney Watson said that the loyalty
of the lodge had in no way been
brought into question, saying he be-
lieved within its membership were to
be found some of the most loyal and
patriotic citizens in the community.
The attorney replied to the testimony
that had been given concerning patri-
otism in the Elks lodge and the
donations of the lodge to the Red Cross.
He held that the lodge in this had done
little more than its duty, seeing that
every loyal and patriotic citizen had
made sacrifices to aid the Nation in the
present crisis. The lodge had done
only what all good citizens and loyal
organizations had done, he said.

Attorney Watson pointed to the fact
that individual members of the Elks
lodge themselves did not regard what
had been written as injurious or defa-
matory. In this connection he referred
to the testimony of C. H. W. Norton
and Olaf Sorenson, Elks, who had said
they did not regard what had been
written as libelous.

Next he took up the point upon which
the prosecution placed so much em-
phasis, definitions of terms Trent
had used in writing the article. Peter
entirely he referred to the fact that
contending that it did not carry a harm-
ful meaning, but was an ordinary slang
phrase.

"Come up to the joint and have some
banquet," was a commonplace invita-
tion one might issue, he said, in illu-
stration.

Charge Is Serious

He was unwilling to permit the
prosecution make light of the charge
by calling it a statutory misdemeanor
and he pointed out to the jury that it
was an offense that carried the penalty
of imprisonment and fine or both or
prisonment and fine. Attorney Watson
concluded his argument shortly after
twelve o'clock when an adjournment
was taken until one-thirty o'clock in
the afternoon.

Attorney John Cathcart entered the
trial in the afternoon, reviewing first
the specific charges contained in the
indictment. He demanded that the "Dixie
Doolittle" articles could be regarded
as libelous, saying the defendant had
proved the truth of all the assertions
he had made and had shown their pub-
lication had been entirely justified by
the circumstances.

When Trent wrote the article, he said,
Honolulu had not realized the serious-
ness of the situation. He demanded that
the Elks lodge, complainants in the case,
might have led to disaster and Trent,
awake to the situation, had acted the
part of a patriot in bringing sharply
to the notice of the community the
existing condition.

Other Points

Concerning the intimation of the
article that "our army and navy of-
ficers must have a place to drink," he
pointed out that this intimation could
not have been avoided when it was
known that the fight to retain liquor
in the lodge had been led by an army
officer. He emphasized the point At-
torney Watson had made, saying that
any reasonable man knew that any
place in the world where liquor was
served to a number of individuals nec-
essarily turned out a "few drunks
every year." A certain proportion of
any number of men who drank liquor,
wherever it might be, would fall vic-
tims to it, he said.

An elaborate table was presented by
Attorney Cathcart showing that after
the sale of liquor to soldiers had been
stopped by law, the sales in the Elks
club had jumped measurably. The fol-
lowing table which the attorney read
shows receipts from liquor sales in the
Elks club by months before the law
became effective and after:

Table of Sales	1916	1917	1918
Before Law			
June	\$1,088.80	\$1,440.65	\$351.85
July	1,008.45	1,423.35	411.90
Aug.	1,087.90	1,433.98	346.15
Sept.	1,217.20	1,358.75	143.55
Oct.	1,137.00	1,567.75	470.25
Nov.	1,558.09	2,228.10	680.01
Dec.	1,834.88	2,292.60	457.72

\$8,930.22 \$11,755.15 \$2,824.93

Before the law went into effect the
average daily sales were \$37.50. After
the law became effective the average
jumped to \$46.25. The daily average on
Sundays before the law became effective
was \$52.54 and after the law went into
effect it jumped to \$63.12.

According to testimony given, the
attorney said the daily attendance at
the club was between forty and fifty
persons. Figuring the price of drinks
at fifteen cents each with an average
attendance of fifty persons daily, an
average of 302 drinks a day were serv-
ed, or six for each person daily on
week days and 421 drinks, or eight
and a half for each person, Sundays.

Lauds Paper

In his closing address Attorney Davis
for the prosecution took occasion to
pay a tribute to the fair and exact
manner in which news matter usually
is presented in The Advertiser. The
attorney dwelt on the fact that the
copy of the "Dixie Doolittle" adver-
tisement had been delivered by the
defendant in person to the foreman of
the composing room of the paper in
the night time.

He again read over the definitions of
the terms used in the article and then
injected a patriotic note into his re-
ference, referring to the members of the
Elks lodge who are wearing their
country's uniform and are fighting for
the Nation.

Judge Heen then defined the law of
libel, as given in the statute and de-
livered his instructions. The jurors re-
turned at three-thirty-one o'clock in
the afternoon.

W. S. S.

RICE NOT SUBSTITUTE
FOR FLOUR AFTER APRIL 15

From April 15 and continuing until
further notice grocers are forbidden to
sell rice as a substitute in conjunction
with wheat flour, according to a notice
issued by the Food Administrator. Rice
flour and rice meal may be sold as sub-
stitutes. Rice may be sold alone with-
out flour.

Ruth Stacker Saves Drowning Man At California Beach

Honolulu Girl Sprint Swimmer
Puts Her Skill To Use When
She Drags a Two Hundred and
Forty Pounder From Water

Ruth Stacker, Honolulu's sprint swim-
mer, who is now the San Francisco
Examiner's swimming instructor and
special writer of swimming stories,
broke into the headlines of the Exam-
iner recently in the role of heroine of a
rescue of a man at Neptune Beach.

The man in the case weighed 240 pounds,
while she tips the scales only at 137½
pounds.

The waters of the bay were cold but
Miss Stacker was disporting in them as
though she were stirring up the beach.
Suddenly there was a commotion and
Miss Stacker saw that a swimmer was
in trouble. She used the best crawl
stroke of Waikiki and in a short time
was at the semi-conscious male's
side, and with her knowledge of resus-
citating waterlogged humans, she took
him to land. Meanwhile Dorothy Burns
had taken in the situation, and she also
swam out to give aid. Between them
the man was towed ashore and resusci-
tated.

W. S. S.

HONOLULU DRY, QUIET AS SUNDAY

With few exceptions, every saloon in
Honolulu was closed yesterday and
those that did remain open, did a com-
paratively light business in the sale of
soft drinks. The district in the neigh-
borhood of Hotel Bethel, King and
Nuuanu Streets was as quiet as a coun-
try village on a Sunday afternoon.

The historic Union Saloon which has
been in existence for the past forty
years, will close its doors next Satur-
day for the jobs. H. Conna, the
owner of the property, is considering
remodeling the building and devoting
it to other purposes. As a soft drink
emporium, he does not think it would
be a paying venture.

There was a marked air of quiet
about the various clubs in the city.
In most instances the stocks of these
clubs were disposed of to their mem-
bers. The University Club donated
about \$200 worth of champagne and
light wines to the Lehigh Home and the
Children's Hospital, to be used for
medicinal purposes.

Honolulu Geisha girls will dance for
their guests as usual at the various tea
houses in the city. An interesting of-
ficial of the Union last week, serious
consideration was given to a proposal
for this organization disbanding with
the demise of John Barleycorn. After
considerable deliberation it was de-
cided that the business of the union would
be as lucrative if they danced for
guests as they sipped tea and other
beverages not intoxicating.

W. S. S.

KAUAI IS CLOSE CORPORATION, SAYS EX-EDITOR BOOTHBY

H. E. Boothby, who has been editor
for a short time of the Garden Island,
Lahoe, returned to Honolulu during the
week, enroute to the mainland. Mr.
Boothby formerly edited the Hilo Tri-
bune and has had a wide mainland ex-
perience as a newspaper man. He left
Kauai because, he explains, "it is a
close corporation or other there."

Between the ex-editor and County
Agent Case a coolness arose, the agent's
ideas of news and those of the editor
not always coinciding. This resulted
in a charge by Case that Boothby was
"always cringing," and a retort now
by Boothby that Case "is puffed up
by a little brief authority and thinks
everyone ought to know to him."

Case, according to the editor, "is do-
ing some good and a whole lot of
harm."

W. S. S.

HAWAII MAY BE ASKED TO CONSUME SUGAR

Announcement is made by the local
food administration that present limita-
tions on sugar purchases may soon be
relaxed and a quantity of twenty-five
instead of five pounds be fixed. At the
same time consumers will be urged to
keep down consumption to ninety per
cent of the present figures.

While it is true there still exists a
shortage of sugar on the mainland and
rigid economy must needs be practiced
there it is a safe prophecy that before
the summer is over the food adminis-
tration will be urging, as it did last year,
an increased use of sugar in the making
of preserves, jellies and jams to waste
food that must otherwise go to waste.

It would appear there is abundant
logic for such order when it shall come.
If we make our own preserves we use
only sugar that would be used for the
same purpose on the mainland. There
is a saving of freight in the sugar over
on the mainland stuff we should im-
port to make up for any local deficiency
of home product. It will be true con-
servation.

In addition to this there is every
prospect of our having a large stock of
sugar awaiting shipment and still be-
without sufficient bottoms to carry it
when the time, the preserving and
canning time, shall come.

ONLY CLASS 1 MEN WILL BE DRAFTED

That Is Promise of Provost Crow-
der Which Affects Many Re-
gistrants In Hawaii

Information which reached selective
draft headquarters yesterday from
Washington indicates that only Class 1
men will be required to fill out the
quotas of men wanted for the new
national army to be marshalled and
trained this spring, in which case Class
2 men, while not at present allowed to
travel away from Hawaii, may be re-
leased from the present tie-up.

The men available for duty in Ha-
waii, according to figures just compiled
by Capt. H. Vining held, selective
draft officer, number 7,163.

Provost Marshal General Crowder,
head of the selective draft work at
Washington, has informed the local of-
fice that "no human mind can forecast
the resultant numbers in Class 1, but
as the roughest guess based on the ex-
periences of the first draft it is esti-
mated that Class 1 will comprise a list
of physically acceptable men in number
close to one million, enough for any
call in present prospect."

Promise Announced

Whether this guess is justified in
practice or not, it can be announced
now as the policy and belief of this of-
fice that in all probability it will be
possible to fill our military needs with-
out ever invading the ranks of the de-
ferred Class 2, and this is the promise,
the standard, and the goal, here for
the first time announced, to-
ward which every administrative effort
of this office will be directed.

It is admitted that the fulfillment
of this hope will require further legis-
lation and the requirements of the war
may impose problems that will demand
much more profound adjustments;
but as a rough measure of protection it
is not too much to say that the present
classification scheme offers possibilities
that have never been attained by any
other nation in the history of war.

Alternative Suggestions

Protesting that the military needs
of the Nation should require more men
than those who, within the present
draftable ages, and under the present
rules, would be in Class 1, the problem
would instantly present itself whether
it were better to invade the deferred
classes or to add another class of young
men.

Between the two alternatives there
can be little hesitation. Against the
proposition to add the class of men who
have reached twenty-one since last reg-
istration there can be urged but a single
objection, that among the younger men
will be found those who are just com-
pleting their education and, as has al-
ready been forcefully urged, that where
the education is technical (medical,
mechanical, engineering) the comple-
tion of the training of such men is
necessary for war purposes. As to
such technical students the arguments
are overwhelming and they have pre-
vailed.

"The inclusion of the class of those
arriving at the age of twenty-one
should add nearly at least 700,000 in
deferred men to the available class,
and with such an addition there is cer-
tainly no immediate necessity of going
beyond Class 1 in future drafts. This
is a consummation most devoutly to be
desired. It removes from consideration
the most troublesome problems of the
draft and places us in a most enviable
position among belligerent nations."

"A paragraph will serve to dispose
of the question whether in like manner
those passing the age of thirty should
be removed from liability. In the first
place such men are, physically and as
a class, the most perfectly fitted for
military service. Practically those who
at that age have not yet integrated
themselves with the economic or domes-
tic life of the Nation to such a sub-
stantial extent as to dictate their se-
gregation in a class more deferred than
Class 1 are entitled to no consideration
in this regard. The classification sys-
tem automatically defers meritorious
cases, and the rest ought not to be re-
moved from liability."

W. S. S.

PERSISTENT REPORTS ARE NOW EXPLAINED

By Professor Anderson of Washington,
Count Tze Anshy was said to have
admitted that attempts looking toward
a general peace had been made and
that Emperor Charles had been at-
tempting to negotiate through several
international mediums.

Upon inquiry of Secretary of State
Laussan as to this report he replied
that he had heard Professor Anderson
had approached Vienna on the subject
of peace but professor had acted
without governmental sanction and had
paid no attention to his activities.

W. S. S.

GOVERNMENT TAKES EASTERN SHIPPING

WASHINGTON, April 12.—(Assoc-
iated Press.) Several of the Eastern
coastwise shipping companies are to
be taken over by the government at
noon Saturday. This the President an-
nounced in a proclamation which he as-
signed yesterday afternoon.

The President has empowered Sec-
retary of Treasury McAdoo to take
these over and operate them, essen-
tially for the purpose of carrying out
materials and supplies.

W. S. S.

LOAN TO FRANCE

WASHINGTON, April 12.—(Assoc-
iated Press.) France yesterday received
a further loan of \$125,000,000 which
makes the amount advanced to France
\$1,500,000,000 and to the Allies \$5,250,
000,000.

MARSHAL ARRESTS KALAUOKALANI

City Clerk Is Charged By Wife
With Statutory Offense:
Bound Over To Grand Jury

David Kalauokalani, city and county
clerk, was arrested late Wednesday
night at a house in Pololu Street, by
United States Marshal Sully and de-
puties, on complaint lodged by Mr.
Kalauokalani's wife. Following the ar-
rest the marshal and his charge visited
friends of the latter and secured bond
for his appearance before the United
States commissioner yesterday.

At the preliminary hearing the com-
missioner set bond at \$200 which was
furnished. Mr. Kalauokalani was
bound over to the Federal grand jury,
which has not yet made a report on
the case. The complaint was sworn to
by United States Attorney Huber, the
official charging the city clerk with the
commission of a statutory offense.

There has been an estrangement in
the Kalauokalani family for sometime,
leaving her and her home and permit-
ting her to be released to her friends
under circumstances. Mrs. Kalauokalani was at
the court room yesterday morning and
will be a witness before the grand jury.

Mr. Kalauokalani has been city clerk
ever since county government was es-
tablished in Honolulu. His election ev-
ery two years has been a matter of
course, he always defeating his Demo-
cratic opponents by an overwhelming vote.

W. S. S.

Slacker Sentenced By Judge Vaughan To Term In Prison

Sergio Tavares Refused To Re-
gister and Says He Was Afraid
He'd Be Drawn As Draftee and
Fall Victim To German Bullets

Afraid of being a target for German
bullets, Sergio Tavares, a Portuguese
youth of Maui, refused to register for
the draft and yesterday was sent to
prison for thirty days by Judge Van-
gahan of the United States District Court
to think it all over.

Tavares is a real dazed in the word
slacker.

He admits freely that he was afraid
to be drawn as a draftee.

He makes no reservations of his dis-
like to become a target for enemy mis-
siles.

He did not forget to register; he re-
fused to point blank.

Tavares was brought to Honolulu
from Maui yesterday morning in charge
of Deputy United States Marshal Sully
and said on the trip across the channel
that he had been "killed" by friends
on the Valley Isle that if he was drafted
he would be bewitched right into the
front rank of the army and would be
among the very first to meet the R.

He says that he was terrified so much
that he actually became afraid of the
horrors of war would be visited on
him alone, and he avoided the registra-
tion, the questionnaire and even the
tail of the draft.

There was little that could be said
in his favor when he appeared before
the Federal judge and the sentence
was quickly imposed.

NOTICE OF ASSESSMENT

Montana Hing...
company, incorporated under the laws
of the state of Utah, has for the pur-
pose of building, rooming, and board-
ing, Salt Lake City, Utah, a building
known as the...
Notice is hereby given that a meet-
ing of the directors, held on the 10th
day of March, 1918, at Salt Lake City,
Utah, for the purpose of assessing the
capital stock of the company, was held
immediately after the meeting of the
directors, and the following is a list of
the names of the directors, and the
amount of the stock owned by each of
them, and the amount of the assess-
ment due from each of them, and the
date when the same is due to be paid.

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PORTO RICAN LABOR IS OFFERED HAWAII FOR ITS INDUSTRIES

Government Is Ready To Furnish
Workers For Fields Drawn
From Agricultural Class

REPORT IS PRESENTED
BY LABOR-BUREAU HEAD

Planters' Association Hears De-
tails of Project and Is Now
Considering It

Porto Rican labor of a more desir-
able class than that which was previ-
ously sent to the islands is avail-
able for the sugar industry here
which will also be available for
the pineapple industry and for rice
planting. This has been